

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

I am concerned that without the implementation of explicit safeguards, the broadcast flag will interfere with my ability to make personal copies of digital television broadcasts. The ability to 'time-shift' broadcast programming is very important to me. For example, I frequently record PBS' daytime programming so that my children, who go to school and daycare, will be able to view their favorite shows in the evening. It is very important to me to be able to continue this practice, and I would object to any implementation of the broadcast flag that would interfere with such uses.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices?

It is very important for the FCC to incorporate into its rules an explicit prohibition upon digital flag technology that would interfere with consumer's ability to conveniently move DTV content between different pieces of equipment owned and used by single consumers and their family members within their homes. It is not enough for proponents of the flag technology to promise that it will not limit consumers ability to exercise their fair use rights. The fair use of digital content needs to be explicitly required in order to prevent incremental erosion of the right of citizens to use digital content in a fair manner within their own homes.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

It is very important that this portability be both forward- and backward-compatible. DTV is a new format, and technology is changing rapidly. Consumers must be able to view DTV material on DTVs and computers that have already been purchased, as well as on equipment that they may purchase in the future. The digital broadcast flag should not 'break' existing equipment through incompatible functionality.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

Assuming that a broadcast flag will be implemented, it is very important that such technology not limit or circumscribe the ability of American companies to innovate and grow through the development of new products. Twenty years ago, nobody could have imagined the huge impact that digital technology and the internet have had upon the American economy. It would be terribly short-sighted for the FTC to curtail future growth through the adoption of present standards or requirements that limit consumer freedom and technological innovation.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

I understand that broadcast flag technology cannot be implemented at no cost. However, the cost of implementing flag technology should be largely supported by the content industry that is demanding such measures, and not by the public. I don't believe that anything more than a 5% increase in the cost of consumer goods is a reasonable burden to pass along to consumers. The FTC should use its authority to limit the financial impact that broadcast flag technology will have on equipment manufacturing and

retail purchasing.

Other Comments:

I suspect that some kind of broadcast flag will be forced upon the American people by the 'content industry' before the industry will permit widespread implementation of digital broadcasting. Personally, I am in no hurry to be forced to purchase new equipment, particularly if doing so will restrict my ability to time-shift TV programming for personal reasons. I have a limited budget, and this looks like another way to get me to pay more money for fewer benefits. As the administrative department representing the American people in this matter, I urge the FTC to keep the public interest in mind as it establishes the rules governing this new digital world. Content owners who have consistently refused to adapt their business models to changing circumstances should not be able to take long-established fair use rights away from the public simply because the content industry is afraid of all things 'digital.' Most Americans are decent, law-abiding citizens. Any digital rights management system that turns a majority of the people into criminals for doing what they have always done before is simply wrong and should not be endorsed by this or any other administration.